

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
STATE OF MICHIGAN, *et al.*,

Plaintiffs,

Civil No. 17-cv-11339
Honorable Linda V. Parker
Mag. Judge R. Steven Whalen

Ex rel. ASHLON WILLIAMSON,

Plaintiff-Relator,

FILED UNDER SEAL

vs.

CENTRIA HEALTHCARE, LLC, *et al.*

Defendants.

/

**THE UNITED STATES' AND THE STATES' NOTICE OF
ELECTION TO DECLINE INTERVENTION**

Pursuant to the federal False Claims Act, 31 U.S.C. § 3730(b)(4)(B), Michigan's Medicaid False Claim Act, M.C.L. 400.610a, and the analogous state statutes of California, New Mexico, Texas, and Washington, the United States of America ("United States") and the States of California, Michigan, New Mexico, Texas, and Washington ("Plaintiff States"), collectively "the Government," hereby notify the Court of their respective decisions not to intervene in this action.¹

¹ Oregon is not included in this notice of election to decline intervention because the Oregon False Claims Act does not include a *qui tam* provision allowing an individual to bring an action on behalf of the State of Oregon. O.R.S. 180.760.

Although the Government declines to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which allows the relator to maintain the action in the name of the United States; providing, however, that the “action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” *Id.* The Plaintiff States’ analogous state statutes similarly allow relator to maintain the action in the name of the Plaintiff States provided, however, that the Plaintiff States’ claims not be dismissed without their consent. M.C.L. 400.610a(1).

Therefore, the Government requests that, should either the relator or the defendants propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States and the Plaintiff States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon the United States; the United States also requests that orders issued by the Court be sent to the United States’ counsel. The Plaintiff States, pursuant to M.C.L. 400.610a(6) and analogous state

Additionally, Detroit Wayne Mental Health Authority is not included in this notice of election to decline intervention because the Michigan Medicaid False Claim Act only allows an individual to bring an action on behalf of the State of Michigan. M.C.L. 400.610a.

statutes, likewise request that they be served with copies of all pleadings and court orders filed in this action. The Government reserves its right to order any deposition transcripts, to intervene in this action, for good cause, at a later date, and to seek the dismissal of the relator's action or claim. The Government also requests that they be served with all notices of appeal.

Finally, the United States requests that the relator's Complaint, this Notice, and the proposed Order filed concurrently herewith be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Respectfully submitted,

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